



TE.015A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zylka et al.
Appl. No. : 10/601,305
Filed : June 19, 2003
For : IDENTIFICATION OF A
RECEPTOR CONTROLLING
MIGRATION AND METASTASIS
OF SKIN CANCER CELLS
Examiner : Lei Yao
Group Art Unit : 1642

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 24, 2006

(Date)

Andrew N. Merickel, Reg. No. 53,317

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In an action mailed May 25, 2006, the Examiner required restriction of prosecution to one of the following groups of claims, subject to the non-allowance of Claim 1, which was found to be a linking claim.

- Group I Claims 2-4, 5-8, 11 and 17-22, drawn to a method of diagnosing melanoma in a patient comprising determining whether cells in said tissue sample express MrgX2 with an antibody, classified in class 435, subclass 7.1; and
- Group II Claims 2-4, 9-10, 12-16, drawn to a method of diagnosing melanoma in a patient comprising determining whether cells in said tissue sample express MrgX2 with nucleic acid probe, classified in class 435, subclass 6.

In response, Applicants elect to proceed with examination on the merits of Group I (Claims 2-8, 11 and 17-22), in the event that no linking claim is allowed. Applicants also note that Claim 11 is equally relevant to antibody and nucleic acid claims and thus should be included in Group II as well as Group I.

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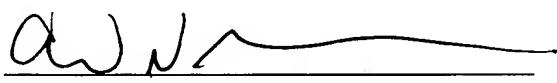
REMARKS

In view of the foregoing election, Applicants submit that the application is in condition for examination on the merits and respectfully request the same.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 24, 2006

By: 
Andrew N. Merickel
Registration No. 53,317
Attorney of Record
Customer No. 20,995
(415) 954-4114

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